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PATENT  
P57003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

KI-SEON YANG

Serial No.: 10/800,775

Examiner: OVEISSI, DAVID M

Filed: 16 March 2004

Art Unit: 2616

For: CONFIGURING DIRECTION-BASED CORE BASED TREE (CBT) FOR  
CBT-BASED OVERLAY MULTICAST

**SECOND PETITION UNDER 37 C.F.R. §1.181**

**Mail Stop Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

Applicant respectfully petitions from the Examiner's repeated failure to acknowledge the filing and receipt of a certified copy of Korean priority application No. 10-2003-0019718, and as reasons therefor states that:

**CERTIFICATE OF  
FACSIMILE TRANSMISSION**

I hereby certify that, on 16 April 2008, this correspondence is being facsimile transmitted to the U.S. Patent & Trademark Office (**Facsimile No. 571-273-8300**)

**Total 4 sheets**

  
For Robert E. Bushnell  
Reg. No. 27,774

Folio: P57003  
Date: April 16, 2008  
I.D.: REB/kf

**STATEMENT OF FACTS**

1. On 16 March 2004, Applicant filed a new patent application in the U.S. Patent & Trademark Office, together with a Claim of Priority and a certified copy of the Korean priority application No. 10-2003-0019718 filed in the Korean Intellectual Property Office on 28 March 2003.
2. Upon the filing of the new patent application for the above-captioned application, applicant received a stamped postcard receipt from the Mail Room of the U.S. Patent & Trademark Office, confirming the timely filing and receipt of the new application.
3. On 10 September 2007, the first Office action (Paper No. 20070824) was issued. In Paper No. 20070824, the Examiner failed to acknowledge the filing and receipt of the certified Korean priority application.
4. On 18 September 2007 Applicant filed a Petition requesting the Examiner's acknowledgment as to the filing by Applicant and receipt by the U.S. Patent and Trademark Office of the certified priority application No. 10-2003-0019718.
5. On 2 April 2008, a final Office action (Paper No. 20080225) was issued. **Again**, in Paper No. 20080225, the Examiner failed to acknowledge the filing and receipt of the certified priority application No. 10-2003-0019718.

**REMARKS**

Copy of Applicant's postcard receipt attesting to the timely filing and receipt of the new patent application including Claim of Priority and certified Korean priority application was previously presented with the Petition filed on 18 September 2007 (*see* image File Wrapper of the U.S. PTO PAIR system).

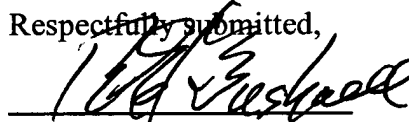
In addition, the certified copy of Korean priority application No. 10-2003-0019718 and a Claim for Priority timely filed by Applicant on 16 March 2004 have been photocopied by the U.S. Patent and Trademark Office. They are now readily available through U.S. PTO PAIR system. Accordingly, the Examiner is requested to confirm, in writing, that a certified copy of Korean priority application No.10-2003-0019718 has been timely filed and received by the U.S. Patent & Trademark Office and that the Applicants have timely perfected Applicants' claim for priority.

**RELIEF REQUESTED**

Accordingly, the Commissioner is respectfully requested to direct the Examiner to:

- A. Confirm in writing that the certified copy of Korean priority application No. 10-2003-0019718 was timely filed and received by the U.S. Patent & Trademark Office;
- B. Confirm that the Applicant has timely perfected Applicant's claim for priority; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



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